

### **REMARKS**

Claims 1-102 are now pending in the application. Minor amendments have been made to the specification and claims to simply overcome the objections to the specification and rejections of the claims under 35 U.S.C. § 112. The amendments to the claims contained herein are of equivalent scope as originally filed and, thus, are not a narrowing amendment. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

Applicant would like to thank the Examiner for the courtesy extended during the personal interview conducted on January 24, 2007. During the interview, the Examiner agreed that Kee and Chen are not valid prior art references under 35 U.S.C. § 102(e). As noted during the interview, Kee and Chen claim priority to provisional patent application No. 60/504,165, which fails to disclose one or more elements of the claimed invention.

### **REJECTION UNDER 35 U.S.C. § 112**

Claims 5-6, 29-30, 53, and 54 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point and distinctly claim the subject matter which Applicant regards as the invention. This rejection is respectfully traversed.

Applicant amended claims 5-6 to depend from claim 2, which provides antecedent basis for the phrase "said second memory." Applicant amended claims 29 and 30 to depend from claim 26, which provides antecedent basis for the phrase "said secondary storage means." Applicant amended claims 53 and 54 to depend from claim

50, which provides antecedent basis for the phrase "said secondary memory." Applicant respectfully submits that claims 5, 6, 29, 30, 53, and 54 are now definite.

**REJECTION UNDER 35 U.S.C. § 102**

Claims 1-4, 7-8, 10-12-17, 20-21, 23, 25-28, 31-32, 34, 36-41, 44-45, 47, 49-52, 55-56, 58, 60-65, 68-69, 71, 73, 78, 83, 88, 93, and 98 are rejected under 35 U.S.C. § 102(e) as being anticipated by Kee et al. (U.S. Pub. No.2006/0129861). Claims 1, 6, 12, 14, 19, 25, 30, 36, 38, 43, 49, 54, 60, 62, and 67 are rejected under 35 U.S.C. § 102(e) as being anticipated by Chen et al. (U.S. Pub. No. 2005/0064911). Claims 1, 5, 12, 14, 18, 25, 29, 36, 38, 42, 49, 53, 60, 62, and 66 are rejected under 35 U.S.C. § 102(e) as being anticipated by Chen. These rejections are respectfully traversed.

The present application was filed on February 13, 2004. Chen was filed on June 17, 2004. Kee was filed on February 9, 2006, and is a division of application No. 10/871,871, filed June 17, 2004. In other words, the filing date of the present application predates the filing dates of each of Chen and Kee. As such, Chen and Kee are not valid prior art references.

Chen and Kee each claim priority to provisional patent application No. 60/504,165 ("the provisional application"), filed on September 18, 2003. Applicants respectfully note that many of the features of the Chen and Kee references that the Examiner relies upon are not disclosed and/or supported in the provisional application.

Applicant further notes that the provisional application fails to show, teach, or suggest one or more elements of Applicant's claimed invention. For example, claim 1

recites that said primary memory is powered down when said computer is in said inactive mode. The provisional application fails to disclose at least this limitation.


Applicant respectfully submits that claims 1-102 should be allowable for at least the above reasons.

### **CONCLUSION**

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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